

ETEXT ATTACHMENT**10/01/2005 14 : 36**

The following is submitted by way of explanation or reconciliation of various items on the FEC Requestion for Additional Information based on the Committee's July Quarterly Report. (Form 1)

1) Contributions received after the date of election - On June 14, the date of the Special Primary Election, the Committee had \$36,969.09 cash on hand; \$2,500.00 in potential contributions which consisted of written requests to charge the credit cards of individual contributors (the merchant account for the campaign committee was still in the set-up process;) approximately \$12,000 in pledges for campaign contributions which had not yet been received; and \$56,500 in debts or obligations. These consisted both of invoices for services rendered which were not yet due (and had not yet been paid) as well as expenditures for which no invoice had yet been received. At no time was there reason to believe that the campaign committee had excess funds. The Committee still needed to raise at least \$17,000 in order to cover all known expenses. It was appropriate to accept contributions after the date of the election and no refunds of contributions have been made. However, for purposes of recording 'date received' the campaign committee used the actual date that contributions came into the possession of the treasurer, assistant treasurer, or candidate. Most contributions were received through the mail and were delivered to a post office box which was checked daily until June 25th. After June 25th, mail has been picked up from the post office box on a weekly basis. For all contributions reported as received during the week immediately following the Special Primary election (from June 15th through June 22nd,) examinations were made of the envelopes in which such contributions were received. If the postmark on the envelope was prior to June 14th, the date of contribution in the report has been amended to match the date of postmark. Many such envelopes, although retained, do not contain return address identification. However, photocopies of the actual checks received would create a presumption for several additional items received, that they were, in fact, mailed prior to the date of the Special Election. The Committee has accepted contributions after the date of the Special Primary, but only to the extent that the committee has net debts outstanding from the Special Primary election.

2) Contributions for a runoff election - This may have resulted from a 'bug' in the 'Import' function of the FECfile software. The majority of data entry into the FECfile program which generated the July Quarterly Report was done by exporting data from the Campaign Committee's separate data base program, to a spreadsheet program; parsing the fields of the spreadsheet to match the import template provided on the FEC web site; and importing the data (in very small batches) into the Receipts section of FECfile. There were no instructions in the Import template which advised the data format for the 'election' field for a Special Primary and accordingly data for that field was left blank. Either the software added the 'Runoff' designation to the contributions the committee imported, or when prompted to designate a specific election because the contribution was one of those itemized, the Committee inadvertently selected 'Runoff' instead of 'Special Primary.' There were never any contributions accepted for a 'Runoff' election, or any election other than the June 14th Special Primary and any contributions so designated in the July Quarterly Report were done so in error. Such contributions have been amended to show the Special Primary in the election field of the Amended July Quarterly Report. There is no need to notify the contributors as they intended the contributions for the Special Primary; the designation for the 'runoff' was inadvertent; and such contributions do not exceed net debts from the Special Primary.

Continued on separate Form 99, #2, due to space limitations in the FEC software